

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DELTA PILOTS ASSOCIATION,  
a labor organization  
incorporated in Florida  
Plaintiff

v.

JOHN DOE,  
an individual  
Defendant.

**Civil Action No.: 1:14-cv-00225-AKH**

**DECLARATION OF  
TIM CAPLINGER**

I, Tim Caplinger, do declare as follows:

1. I am Interim President of plaintiff, the Delta Pilots Association (“DPA”).
2. I make this Declaration of my own free will, based on my personal, first-hand knowledge, unless otherwise specifically indicated.
3. This Declaration is submitted in support of Plaintiff’s memorandum of law in opposition to non-party Air Line Pilots Association’s (“ALPA”) “Emergency Motion Of The Air Line Pilots Association, International To Enforce The Court’s Protective Order Of August 14-15, 2014” filed on October 7, 2014 (Doc. No. 26).
4. As of the date of this filing, neither John Doe 1 nor any attorney for John Doe 1 has contacted myself, any attorney for DPA, or DPA itself – in response to correspondence sent by DPA counsel Nicholas Paul Granath, or this (withdrawn) lawsuit.
5. Shortly after September 29, 2014, acting for DPA, I caused the following message to be sent by email to DPA supporters: “Website Hacking Lawsuit Update. On September 29<sup>th</sup>, DPA voluntarily dismissed the DPA vs JOHN DOE lawsuit in New York Federal Court. We have harvested a great deal of information and have pinpointed key players in the crime. We have offered several opportunities for those involved to take public responsibility and avoid what is about to happen. Those offers have been refused. Anyone directly involved may still contact the DPA Attorney if their intention is to cooperate. Now, we are moving

forward with a new named lawsuit in the home state of one of the key players. Once entered into the public record, all will begin to learn the identities of those involved and what organization they may be affiliated with.”

6. This message was not posted on DPA’s website.
7. No information has been published or conveyed by myself, DPA, its attorneys or anyone acting on DPA’s behalf, that has publicly identified any potential named defendant, or the home state of any potential named defendant.
8. DPA intends to commence an action against John Doe 1 in John Doe 1’s home state at the earliest opportune time. Until the present “emergency” motion by ALPA, DPA was preparing a filing for this purpose.

Pursuant to 29 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 17, 2014

By: /s/ **Tim Caplinger**  
Tim Caplinger, Esq.